

February 25, 1976

we need some detailed procedure. Most of this bill is following a law that has been passed and is in effect in Iowa. Another portion requires that at the bottom of page 4, a 30 day after expense claim required to be paid within 30 days. Section 4, refers to payment upon termination and proration of vacation. In other words, if a person works for eleven months, they would get eleven/twelfths of their vacation pay if they happen to be fired just before their vacation came up. Section five provides procedures upon the death of employees. Section six is rules for withholding and deductions. It sets up guidelines and these I think should be in some detail if other senators have complaints on some of these sections. I would take out, if we could leave the basic teeth in it, the problem areas, I think that we should have substantial detail in the bill, but I would be very willing to take out some of these that might prove to be problems for certain employers. Section seven, would be covering, notifying payment policies. Section eight, is for paying....it gives authority to pay undisputed wages and if there are disputed wages that that would not alter the situation as ~~then~~ being payable if proved to be owed by the employer. On page nine, I have inserted an amendment to strike the entirety of section nine, as I think that even in the redraft that was a problem. Section ten, sets up the commissioner with the authority to enforce the act. It provides that he may enter the place of employment. However, it says consistent with due process of law upon written complaint. Section eleven, states that under the determination of the Commissioner he can go ahead on the enforcement and set up procedures for taking assignments. In the bottom of the page it sets up a one year limit on filing a complaint with the commissioner. On page eleven, it provides for the right of a hearing before the commissioner by either party. On page twelve it provides with reciprocal agreements between states. This is a key part of it. Presently if an out-state employer comes in he can not....we really have no way, this will work with states that have any reciprocal legislation. Iowa is set up now for capturing the salaries in cooperation with another state from an employer that comes into the state and leaves the state. The civil assessment is provided on 13 of up to 500 dollars for offense. This is the real penalty of the act I feel is that if the employer does not pay. On page 14 it provides for Judicial review. At the close, the prevalence of existing laws, if there is not, but does not make it....this prevails over existing laws but does not become retroactive. I would like to, if there are questions, answer questions on this, I would be very glad too. I realize that the bill will come out on the floor as introduced, but I want to solidly commit that if we get it to the floor, that what I want is the amendment striking it entirely and presenting the amendment and if there are changes, I will pledge that I will try to work with people and get something satisfactory, if we can't get together on this. I would like the basic context of the bill very much, because I think that it is an injustice that we have in the state, and I don't think that our state can tolerate the employees earning their money and then not having that money. If there are no questions....

SPEAKER: Senator Burrows, in order to clear and have the record completely straight, this bill was killed in committee. It is....you are trying to raise it from notwithstanding the committee action which killed the bill. Is this correct?